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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/812,112	03/15/2001	Josef Mayer	HOE-609	3297
20028	7590	04/14/2004	EXAMINER	
LAW OFFICE OF BARRY R LIPSITZ 755 MAIN STREET MONROE, CT 06468			KIM, PAUL D	
			ART UNIT	PAPER NUMBER
			3729	
DATE MAILED: 04/14/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.



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09/812, 112

03/15/2001

Josef Mayer

HOE-609

EXAMINER

KIM, PAUL D

LAW OFFICE OF MARRY R LIPSITZ
755 MAIN STREET
MONROE, CT 06468

ART UNIT

PAPER

3729

20040409

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Commissioner for Patents

DETAILED ACTION

1. The reply filed on 2/19/2004 is not fully responsive to the prior Office Action mailed on 11/18/2003.
2. An argument is that the amended claim 58 is included the subject matter of withdrawn claim 60, which was not previously identified as belonging to Species A. Therefore, the withdrawn claims 2, 3 and 59 should not be withdrawn.
3. According to the prior office actions including the restriction requirement by a provisional election mailed on 8/18/2003, examiner indicated that Species A is drawn to claims 1-3, 5-17, 20 and 21 and Species B is drawn to claims 4, 18, 19 and 43-57. Species A is for the processes including introduced the carrier into the rear end of the housing and then poured molding compound around the carrier. Species B is for the processes including introduced molding compound into the rear end of the housing and then introduced the carrier into the molding compound from the open rear end.

According to the prior Office Action mailed on 11/18/2003 with a provisional election of Species B, claims 5-21, 58, 61 and 62, Applicant elected Species B for the processes including introduced molding compound into the rear end of the housing and then introduced the carrier into the molding compound from the open rear end.

However, the amended claim 58 includes the subject matter of withdrawn claim 60, which was previously identified as belonging to Species A, which is distinct from the invention originally claimed. Since applicant has received an action on the merits for the originally presented invention for Species B, this invention has been constructively elected by original presentation for prosecution on the merits.

Art Unit: 3729


4. Note that the general policy of the Office is not to permit the applicant to shift to claiming another invention after an election is once made and action given on the elected subject matter. (see MPEP 819 Office Generally Does Not Permit Shift)

5. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul D Kim whose telephone number is 703-308-8356. The examiner can normally be reached on Tuesday-Friday between 8:00 AM to 5:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on 703-308-1789. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

pdk


A. DEXTER TUGBANG
PRIMARY EXAMINER